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6	UNITED STATES DISTRICT COURT	
7	CENTRAL DISTRI	CT OF CALIFORNIA
8	WESTER	N DIVISION
9	ADIDAS AMERICA, INC., and ADIDAS AG,	Case No.: CV08-04969-JFW (JTLx)
20	Plaintiff,	
21	v.	PERMANENT INJUNCTION ON CONSENT (REGARDING WAH LEI
22	WAH LEI FOOTWEAR (U.S.A.)	FOOTWEAR (U.S.A.) CORPORATION)
23	CORPORATION, FU JU (U.S.A.) GROUP INC., LA DISCOUNT SHOES,	
25	SUNNY SHOES CORP., and TOP SHOES, INC.	
26	Defendants.	
27		
28		PERMANENT INJUNCTION ON CONSENT

US2008 408108.1

Defendant Wah Lei Footwear (U.S.A.) Corporation ("Wah Lei"), a California corporation, having consented to the terms of the judgment and permanent injunction set forth below, this Court hereby finds as follows:

1. Plaintiff adidas AG owns and adidas America, Inc. extensively uses the

This Court, having considered the Complaint on file in this action, and

- 1. Plaintiff adidas AG owns and adidas America, Inc. extensively uses the Three-Stripe trademark (the "Three-Stripe Mark"), which is covered by valid U.S. Trademark Registration Nos. 870,136, 1,815,956, 1,833,868, 2,016,963, 2,058,619, 2,278,589, 2,278,591, 2,284,308, 2,909,861, 2,999,646, 3,029,127, 3,029,129, 3,029,135, 3,087,329, and 961,353 (the "Trademark Registrations"). Copies of the Trademark Registrations are attached hereto collectively as Exhibit A.
- 2. On July 29, 2008, adidas filed a complaint in the instant action claiming, *inter alia*, that Wah Lei advertised, distributed, offered for sale and sold footwear bearing four parallel stripes in a manner that infringes adidas's rights in and dilutes the distinctive quality of adidas's Three-Stripe Mark (the "Disputed Footwear"). A photograph of a representative example of the Disputed Footwear is attached hereto as Exhibit B.
- 3. The Court has jurisdiction over the subject matter of this action and over Wah Lei and venue in this action is proper in this judicial district.

IT IS HEREBY ORDERED that:

- 1. Wah Lei and all its agents, officers, employees, representatives, successors, assigns, attorneys, and all other persons acting for, with, by, through, or under authority from Wah Lei, or in concert or participation with Wah Lei, and each of them, be PERMANENTLY ENJOINED and RESTRAINED, from:
 - a. manufacturing, selling, offering for sale, advertising, promoting, distributing or displaying the Disputed Footwear;

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- b. manufacturing, selling, offering for sale, advertising, promoting, distributing or displaying any other footwear bearing the Three-Stripe Mark or any other confusingly similar imitation of adidas's Three-Stripe Mark, including without limitation any footwear having a design, mark, or feature on the side of the upper that consists of (1) the Three-Stripe Mark (in a similar position, size and spacing as depicted in the Trademark Registrations) with one additional stripe; or (2) the Three-Stripe Mark (in a similar position, size and spacing as depicted in the Trademark Registrations) less one of the three stripes;
- 2. The parties shall bear their own costs, including attorneys' fees.
- 3. The Court shall have continuing jurisdiction to enforce the provisions of the permanent injunction entered herein.

IT IS SO ORDERED, this 29th day of October, 2008.

The Honorable John F. Walter, Judge United States District Court